

Eric Kanefsky
Gregory S. Mullens
CALCAGNI & KANEFSKY LLP
One Newark Center
1085 Raymond Blvd., 14th Fl.
Newark, New Jersey 07102
Tel.: (862) 397-1796
eric@ck-litigation.com
gmullens@ck-litigation.com

Lesley E. Weaver (*pro hac vice*)
Joshua D. Samra (*pro hac vice*)
BLEICHMAR FONTI & AULD LLP
1330 Broadway, Suite 630
Oakland, CA 94612
Tel.: (415) 445-4003
Fax: (415) 445-4020
lweaver@bfalaw.com
jsamra@bfalaw.com

Mack Press
THE MACK FIRM
18 Watergate Lane
Patchogue, NY 11772
Tel.: (516) 330-7213
mack@mackpress.com

Attorneys for Plaintiffs

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THOMAS ROGER WHITE, JR., on
behalf of himself and all others
similarly situated,

Plaintiff,

v.

SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendant.

Civil Action No. 17-01775 (MCA) (JSA)

Hon. Madeline Cox Arleo, U.S.D.J.
Hon. Jessica S. Allen, U.S.M.J.

Return Date: June 3, 2024

Oral Argument Requested

**NOTICE OF APPEAL OF
MAGISTRATE JUDGE'S APRIL 18,
2024 DISCOVERY ORDER
DENYING REQUEST FOR REAL-
TIME DATA**

PLEASE TAKE NOTICE that on June 3, 2024, or at such other date and time as may be set by the Court, pursuant to Local Civil Rule 72.1(c)(1) and Federal Rule of Civil Procedure 72(a), Plaintiff Thomas Roger White, Jr., on behalf of himself and all others similarly situated (collectively, the “Plaintiffs”), by and through his undersigned attorneys, respectfully moves for an Order vacating and overturning the portions of Magistrate Judge Jessica S. Allen’s April 18, 2024 Order (ECF No. 301), which denied Plaintiffs’ request for Defendant Samsung Electronics America, Inc. (“SEA”) to produce real-time data collected through Samsung Smart TVs for the relevant time period.

PLEASE TAKE FURTHER NOTICE that in support of their appeal, Plaintiffs will rely on the accompanying Brief and Declaration of Lesley E. Weaver with exhibits, and all pleadings and proceedings on file.

PLEASE TAKE FURTHER NOTICE that a proposed Order is being submitted herewith.

Dated: May 2, 2024

By: s/ Gregory S. Mullens
Eric Kanefsky
Gregory S. Mullens
CALCAGNI & KANEFSKY LLP
One Newark Center
1085 Raymond Blvd., 14th Fl.
Newark, New Jersey 07102
Tel.: (862) 397-1796
eric@ck-litigation.com
gmullens@ck-litigation.com

Mack Press
mack@mackpress.com
THE MACK FIRM
18 Watergate Lane
Patchogue, NY 11772
Tel.: (516) 330-7213

Lesley E. Weaver (*pro hac vice*)
Joshua D. Samra (*pro hac vice*)
BLEICHMAR FONTI & AULD LLP
1330 Broadway, Suite 630
Oakland, CA 94612
Tel.: (415) 445-4003
Fax: (415) 445-4020
lweaver@bfalaw.com
jsamra@bfalaw.com

Attorneys for Plaintiffs